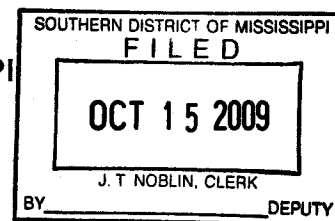


IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION



PAM McLIN, Administratrix of the Estate  
of Roderick Ladon Lee, Deceased, and on  
Behalf of All Wrongful Death Beneficiaries  
of Roderick Ladon Lee, Jr.

PLAINTIFF

vs.

Civil Action No. 3:07-cv-94 HTW-LRA

THE KRYSTAL COMPANY

DEFENDANT

**FORM OF THE VERDICT**

YOUR VERDICT MUST BE UNANIMOUS.  
PLEASE PLACE AN "X" ON THE APPROPRIATE SPACE.

1. Please state whether Roderick Lee was an invitee or a trespasser on the Krystal premises at the time he was shot? (Check one)

Invitee \_\_\_\_\_ Trespasser X

If your answer is "invitee", proceed to question 2.

If you answer is "trespasser", **GO NO FURTHER** except to sign the Form and advise the bailiff you have reached a unanimous verdict.

2. Do you find from a preponderance of the evidence that the defendant, The Krystal Company, was negligent in any of the manners claimed by the plaintiff and that such negligence was the cause in fact, or a contributing proximate cause of damage to the plaintiff? Plaintiff says that the defendant was negligent in one or more of the following ways:

- A. By failing to have a visible security guard on duty available to patrol the parking lot of the Krystal property and to manage traffic at the time of the

shooting of Roderick Lee; Yes \_\_\_\_\_ No \_\_\_\_\_

or

- B. By failing to follow its own drive thru policies which required vehicles waiting on their food for a lengthy period of time in the drive thru lane to move out of the drive thru lane and into the parking area to allow other customers to exit the drive thru after receiving their order;

Yes \_\_\_\_\_ No \_\_\_\_\_

or

- C. By failing to follow its own policies which require employees to speak to disruptive customers and to call security, if present, or police if disruptive customers do not comply with their requests;

Yes \_\_\_\_\_ No \_\_\_\_\_

or

- D. By failing to call the Jackson Police Department within a reasonable time after receiving notice of a verbal altercation between the occupants of the shooter's vehicle and Roderick Lee.

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer is "No," to all categories, 2A, 2B, 2C, and 2D, advise the bailiff that you have reached a unanimous verdict and **GO NO FURTHER**, except to sign the Form.

3. If you answered "Yes" to any of the above categories in Question 2, do you find from a preponderance of the evidence that deceased plaintiff Roderick Ladon Lee himself was negligent in the manner claimed by the defendant and that such negligence

was a proximate cause of deceased plaintiff Roderick Ladon Lee's own damages?

Yes \_\_\_\_\_

No \_\_\_\_\_

4. If you answered "Yes" to Question 3, what proportion or percentage of Mr. Lee's damage do you find from a preponderance of the evidence to have been proximately caused by the negligence of the respective parties?

Answer in Terms of Percentages:

The Defendant \_\_\_\_\_%

The Plaintiff \_\_\_\_\_%

(Note: The total of the percentages given in your answer should equal 100%).

5. If you answered "Yes" to any category in Question 2, what sum of money do you find from a preponderance of the evidence to be the total amount of plaintiff's damages (without adjustment by application of any percentages you may have given in answer to Question 3)?

\$ \_\_\_\_\_ Funeral costs

\$ \_\_\_\_\_ Conscious physical, pain and suffering by Roderick Lee, if any, prior to his death

\$ \_\_\_\_\_ Loss of love, society, and companionship suffered by Roderick Lee, Jr.

\$ \_\_\_\_\_ Future economic earnings

SO SAY WE ALL:

DATED, THIS THE 13<sup>th</sup> DAY OF October, 2009.